

APPROVED 9-23-09
TOWN OF NORTH HAVEN, CONNECTICUT
MINUTES
Inland Wetlands Commission

Minutes of the Inland Wetlands Commission meeting held on Wednesday, August 26, 2009 at the North Haven Memorial Library, 17 Elm Street, in the Community Room at 7:00 PM.

MEMBERS PRESENT:

Mark R. Trojanowski, Chairman
Leroy C. Gould, Secretary
William Leiserson
Stephen F. Darley
Pamela Sletten
John A. Gilchrist, Alternate, sitting
Frank H. Bumsted, Alternate, sitting

ABSENT MEMBERS:

Edward T. Bruce, Vice Chairman
Steven J. Nugent

OTHERS:

Alan Fredricksen, Land Use Administrator
Jonathan Bodwell, Town Engineer
Lisa Raccio, Stenographer
Sandra Lion, Clerk

AGENDA:

Mr. Trojanowski, Chairman, called the meeting of the Inland Wetlands Commission to order at 7:08 PM and introduced the Commission and town staff. He then explained the procedure for the public hearings. Mr. Trojanowski asked Mr. Fredricksen if there were any changes to the agenda. Mr. Fredricksen stated that there were none.

The Commission agreed to hear Application #I09-07, 110 Republic Drive, first due to the anticipated length of Application #1.

Mr. Trojanowski read a letter from Mr. Maurice L. Sapiro, 1792 Hartford Turnpike, asking to be granted intervenor status for Application #I09-06, 182-188 Kings Highway.

Mr. Darley moved to grant intervenor status to Mr. Maurice Sapiro of 1792 Hartford Turnpike, but without making a finding that the effect of this application will unreasonably pollute, impair or destroy the public trust in the air, water or other natural resources of the state; Mr. Bumsted seconded the motion. The Commission voted as follows:

Trojanowski – aye Gould – aye Leiserson – aye Sletten - aye Darley – aye Gilchrist – aye
Bumsted - aye

Mr. Gould read the call for the first public hearing.

2. #I09-07 Application of Elm City Industrial Properties, Inc., Applicant, 110 Republic Drive Associates, LLC, Owner, relative to 100-120 Republic Drive, (Map 35, Lot 12), seeking Site Plan Referral. Plan Entitled: Site Development Plan Improvement Location Survey, Property of 100 Republic Drive Associates, LLC, 100 Republic Drive North Haven, CT. Prepared by Godfrey-Hoffman Associates, LLC. Dated 8-3-09. Scale 1" = 40'. IG-80 Zoning District.

Attorney James Perrito presented the application for a Change of Use to convert 14,428 square feet of warehouse space into a research laboratory. Minimal site work is proposed with no regulated activities. Pavement on the southeastern and western part of the site will be replaced with grass. Mr. David Lord Soil Scientist addressed questions from the Commission. Mr. Leiserson would like permission to have an existing tank removed from the property. The Commission asked a few more questions and Mr. Fredricksen and Attorney Perrito responded.

Mr. Trojanowski asked for public comment.

Public comment:

1. Mr. Anthony Fisser, 150 Kings Highway, is concerned with a laboratory contaminating wetlands.

There being no further questions, the public hearing was closed.

Mr. Gould read the call for the second public hearing.

1. #I09-06 Application of Michael J. Bennett, L.S, Applicant, Sinoway Farm Partnership, Owner, relative to 182-188 Kings Highway, (Map 88, Lot 63), seeking Permit To Conduct Regulated Activity and Subdivision Referral. Plan Entitled: Proposed 5 Lot Subdivision, Lots 52 & 63, Hartford Road and Kings Highway, North Haven, CT, Prepared by Bennett & Smilas, Engineering, Inc., Dated October 29, 2008. Scale 1" = 100'. R-40 Zoning District.

Mr. Michael J. Bennett, engineer, presented the application to permit a five lot subdivision on this 29 acre site. Approximately six acres of this site are wetlands. A previously approved building lot, #1750 Hartford Turnpike, is being absorbed into this subdivision. Three lots are proposed on the southern portion of the site with access to Hartford Turnpike and two lots are proposed on the northern portion of the site with access to Kings Highway. A 6.832 acre Conservation Easement is being proposed for the northeast corner of the property which is a portion of Lot #5.

Mr. Bennett then explained the proposed drainage for this site. Mr. Trojanowski asked about the catch basins. Mr. Bennett stated that it will be the responsibility of the property owners to maintain these basins.

Mr. Gould asked if other alternatives were looked at for the driveway that runs through the wetlands. Mr. Bennett stated that steep slopes to the north of the site prevent installing driveways elsewhere and will cause more destruction to wetlands below.

Mr. James Sipperly, Soil Scientist, distributed a report dated July 20, 2009 regarding inland wetlands and watercourses delineation. He then discussed the wetland delineation and the different types of soils and vegetation contained on this site. Mr. Bennett submitted a letter to the Commission addressing the Town's comments. Mr. Leiserson asked about the Conservation Easement. Mr. Bennett stated that the Conservation Easement is for the homeowner and tells them what they can and can't do with the property. It also gives the town the right to access the property.

Mr. Leiserson asked about the drainage impact on neighboring properties. Mr. Bennett stated that it would be an improvement in some areas and no greater impact in other areas. He also asked about the impact on wetlands. Mr. Sipperly responded that there will be no significant impact to the wetlands on this site. The Commission asked a few more questions and Mr. Bennett responded.

Mr. Trojanowski asked for public comment.

Public comment:

1. Mr. Sapiro, 1792 Hartford Turnpike, spoke in opposition to the application. He is concerned with drainage and contamination of wells.
2. Bernard Hummel, 1742 Hartford Turnpike, has drainage concerns.
3. Paula Butler, 1730 Hartford Turnpike, has drainage concerns.
4. Claudia Herrera, 1780 Hartford Turnpike, has concerns with drainage and the impact this project will have on animals living in the area. She also asked about the types of buildings being proposed on these lots.
5. Harold Murphy, 1794 Hartford Turnpike, spoke in opposition. He asked about the number of houses being proposed. He is concerned with wells being contaminated, drainage, the impact on animals and the wetlands being saturated. He suggested a large bond be posted and asked what is being proposed, sewers or septic and wells.
6. Dave Rosadini, 18 Allendale Drive, has drainage concerns. He asked about basin depth and the maintaining of curbing and driveways. He is also concerned with wells being contaminated and would like the soil tested. He feels this project is too aggressive.
7. Peter Cahill, 112 Kings Highway, has drainage concerns.
8. Kathy Long-Asman, 1812 Hartford Turnpike, has concerns with drainage and contamination from the spraying of the orchards.
9. James Myers, 116 Kings Highway, has concerns with drainage, the impact on wetlands and animals, emergency vehicles entering the site and backed up catch basins.
10. Eunice Murphy, 1794 Hartford Turnpike, stated that her property is so wet a beaver now lives there.
11. Anthony Fisser, 150 Kings Highway, spoke regarding drainage and what the easement permits. He suggested to recheck the delineation to make sure its accurate. He also had questions regarding grading, activity in the buffer zone, restriction on lots, emergency vehicle access and winter salt impacting wetlands

12. William Smith, 1745 Hartford Turnpike, asked about sewers and is concerned with drainage.
13. Mark Bouffard, 1714 Hartford Turnpike, is concerned with the impact on wells.
14. Karl Caserta, 1746 Hartford Turnpike, has drainage concerns.

BREAK: 9:33 – 9:44 PM

Mr. Arthur Estrada, representing the applicant, stated that he is ready to address comments.

Mr. Trojanowski asked the applicant if they would like a continuation to properly address questions. Mr. Leiserson moved to continue the Public Hearing to the September 23, 2009 meeting; Mr. Darley seconded the motion. The Commission voted as follows:

Trojanowski – aye Gould – aye Leiserson – aye Sletten - aye Darley – aye Gilchrist – aye
Bumsted - aye

INFORMAL: None

DELIBERATIONS:

2. #I09-07 Application of Elm City Industrial Properties, Inc., Applicant, 110
 Republic Drive Associates, LLC, Owner, relative to 100-120
 Republic Drive.

Mr. Bumsted moved to send a positive Site Plan Referral to the Planning & Zoning Commission; Mr. Darley seconded the motion. The Commission voted as follows:

Trojanowski – aye Gould – aye Leiserson – aye Sletten - aye Darley – aye Gilchrist – aye
Bumsted - aye

The application was approved with appropriate conditions.

OTHER:

441 State Street, Tire Pond

- Mr. Fredricksen stated that proposals are being reviewed for selecting a vendor for the next phase of the project. A decision should be made by September 1, 2009.

BOND RELEASES & REDUCTIONS: None

MINUTES:

July 22, 2009

Mr. Leiserson moved to approve the minutes of the July 22, 2009 meeting; Mr. Bumsted seconded the motion. The Commission voted as follows:

Trojanowski – aye Gould – aye Leiserson – aye Sletten - aye Bumsted – aye

ENFORCEMENT ACTIONS:

Mr. Alan Fredricksen, Land Use Administrator, discussed an issue regarding the detention basin at Pondview Estates, 320 Middletown Avenue. Mr. Bodwell, Town Engineer and Mr. Fredricksen examined the detention basin at Pond View Estates and found that it is working properly.

Mr. Gould asked about Mr. Farooq Khan's violation and would like Mr. Khan to submit an Inland Wetlands application.

EXTENSIONS: None

PERMITTED USES AS OF RIGHT: None

CORRESPONDENCE: Mr. Leiserson spoke about the Quinnipiac River Canoe trip experience.

GENERAL PUBLIC COMMENTS: None

ADJOURN:

Mr. Darley moved to adjourn the meeting; Mr. Leiserson seconded the motion. The meeting was adjourned at 10:10 PM.